

REMARKS

Claim 1 is amended to more particularly point out that the cuts are angularly offset from an axis normal to the show surface, a feature originally recited in claim 6, now cancelled.

Claim 7 is amended to clarify that the claim language refers to the plurality of cuts recited in the claim.

Claim 12 is amended to more particularly point out that the cutting device is introduced in a direction angularly offset from an axis that is normal to the show surface, similar to claim 1, and to clarify that the cutting device forms a plurality of cuts that do not extend completely through the outer layer, a feature originally recited in the claim.

Restriction Requirement

The Office Action reports a Restriction Requirement between:

Group I, claims 1-14, directed to an instrument panel characterized by a plurality of cuts, and a method for same; and

Group II, claims 15-20, directed to a method using a mold.

The Office Action reports a provisional election was made in a telephone conversation with Lonnie Drayer on October 31, 2005. Applicants believe that this is in error, and trusts that the Examiner did not discuss their application with Drayer, who has no connection with the present application or assignee. Instead, it is believed that the Examiner may have spoke to Mr. Christopher Boehm. Applicants request clarification.

Nevertheless, in response to the Restriction Requirement, Applicants provisionally

elect to prosecute Group I, claims 1-14. However, Applicants respectfully traverse the requirement.

Group I includes claim 12 to a method that includes cutting a deployment door opening in an outer layer to form a plurality of cuts that do not extend completely through an outer layer. The claim 15 of Group II is directed to a method that forms a plurality of cuts that do not extend through the outer layer. Thus, claim 15 falls within the scope of claim 12 and recites additional features of a preferred embodiment of Applicants' invention. The Office Action points to the mold recited in Group II as justification for restriction. Contrary to the Office Action, the mold in claim 15 does not make the cuts. Rather, the cuts are made by a cutting device, as in claim 12. Thus, it is seen that the claims are drawn to a single invention, in terms of varying scope. Applicants are entitled to claims of varying scope, and it is permissible to include features, such as a mold, in some claims that are not recited in other claims.

Efficiency, both on the part of Applicants, and also on the part of the Patent Office, mandates that, where the claims have common distinctive features such as here, all claims should be examined together. The Restriction Requirement unduly burdens Applicants by requiring them to file and prosecute multiple applications, and pay fees and maintain multiple patents, to obtain the patent protection to which they are entitled.

Therefore, it is respectfully requested that the Restriction Requirement be withdrawn, and that all claims of Group I and Group II be considered in the present application.

Claim Rejection under 35 USC § 112

Claims 7-11 were rejected under 35 USC § 112 as indefinite in reciting scores. The claim has been amended to refer to the cuts called for in the claim language, as postulated in the Office Action. Therefore, it is requested that the rejection be withdrawn.

Claim Rejection based upon Yamasaki et al. and Hagenow et al.

Claims 1, 2, 7, 8, 12 and 14 were rejected under 35 U.S.C. § 103 as unpatentable over United States Patent No. 5,98,283, issued to Yamasaki et al. in 1997, in view of United States Patent No. 5,632,914, issued to Hagenow et al. in 1997.

The rejection points to Fig. 1 in Yamasaki et al. Fig. 1 shows an instrument panel that includes a recessed portion 16a in the outer layer 13 and cut portions 16b through the inner layers, col. 5, lines 9-13. Recess 16a is formed in the outer layer by a projection in the mold surface 21a, col. 5, line 36. In contrast to the molded feature, Applicants' instrument panel includes cuts that do not extend completely through the outer layer. Yamasaki et al. does describe forming slits in the outer layer, see Fig. 8 and col. 8, lines 10-24. However, the slits in Yamasaki et al. extend completely through the outer layer, as well as the adjacent underlying layers. Further, the slits in Yamasaki et al. are made by a cutter 24 pointed along an axis normal to the show surface, see Fig. 8(a), and so are

normal to the show surface. In contrast, Applicants' invention includes cuts that are angularly offset relative to the axis normal to the show surface. The partial, angled cuts provide an aesthetically pleasing surface, yet define a door suitable for airbag deployment, see page 6, third paragraph. Nothing in Yamasaki et al. points to partial, angled cuts in the show surface. Thus, Yamasaki et al. does not teach or suggest Applicants' invention.

Hagenow et al. shows cuts 40A that are laser cut in the outer surface, col. 4, line 66. However, the holes extend completely through the outer layer, col. 4, line 67. Moreover, Hagenow et al. forms cuts that are perpendicular to the surface, see Fig. 3. Hagenow et al. does not describe partial cuts that are angled to the surface. Thus, there is nothing in Hagenow et al. or Yamasaki et al. to point the practitioner to partial, angled cuts. With out these key features, the references do not suggest Applicants' invention.

Claim 1 is directed to Applicants' instrument panel that includes a first outer layer having a show surface, and a plurality of cuts in the show surface. In accordance with the claim, the cuts are angularly offset from an axis normal to the show surface and do not extend completely through the outer layer. Yamasaki et al. and Hagenow et al. make cuts through the layer. With regard to the molded recess in Yamasaki et al., the recess is made by thinning the layers during the molding process, and not by cutting. Furthermore, the cuts in Yamasaki et al. and Hagenow et al. are normal to the surface. Thus, the references do not show angled, partial cuts, and so do not teach or suggest Applicants' instrument panel in claim 1.

Claim 2 is dependent upon claim 1 and so not taught or suggested by the references at least for the reasons set forth with regard to that claim.

Claim 7 is directed to Applicants' instrument panel that includes a plurality of cuts that define a deployable door for an airbag module. The cuts do not extend through the outer layer and are angularly offset from an axis normal to the show surface. As discussed above with respect to similar features in claim 1, the references, separately or combined, do not teach or suggest angled, partial cuts in an instrument panel show surface. Further, the claim calls for cuts that traverse angularly towards the windshield. Nothing in either references points to cuts that are aimed toward the windshield. Thus, the references do not show Applicants' instrument panel in claim 7, or claim 8 dependent thereon.

Claim 12 is directed toward Applicants' method of forming an air bag door in an instrument panel that includes cutting a deployment door opening in an outer layer by introducing a cutting device in a direction angularly offset from an axis normal to the show surface, and forming cuts that do not extend completely through the outer layer. For the reasons above, the references, separately or combined, do not show Applicants' method in claim 12, or dependent claim 14.

Accordingly, it is respectfully requested that the rejection of the claims based upon Yamasaki et al. and Hagenow et al. be reconsidered and withdrawn, and that the claims be allowed.

Claim Rejection based upon Yamasaki et al. and Hagenow et al. with Lutze et al., Gardner et al. and Ueno et al.

Claims 3, 5 and 9 were rejected under 35 U.S.C. § 103 as unpatentable over Yamasaki et al. and Hagenow et al. in view of United States Patent No. 6,224,090, issued to Lutze et al. in 2001. Claims 4 and 10 were rejected under 35 U.S.C. § 103 as unpatentable over Yamasaki et al. and Hagenow et al. in view of United States Patent No. 6,753,057, issued to Garner, Jr., in 2004. Claims 11 was rejected under 35 U.S.C. § 103 as unpatentable over Yamasaki et al., Hagenow et al., Lutze et al. in view of United States Patent No. 6,716,519, issued to Ueno et al. in 2004.

Claims 3-5 are dependent upon claim 1. Claims 9-11 are dependent upon claim 7. For the reasons set forth above, neither Yamasaki et al. nor Hagenow et al. nor their combination show Applicants' instrument panel having the cuts that are angled to the show surface and do not extend completely through the outer layer, as called for in claims 1 and 7.

The rejections apply additional references. Lutze et al. is cited to show scores arranged in a U-shape. However, Lutze et al. shows perforations that extend from the inner surface, see Fig. 4 and col. 5, lines 3-6, as opposed to the outer or show surface in Applicants' instrument panel. Gardner is cited to show polyurethane materials used to form an instrument panel, but provides a show surface without cuts. Ueno et al. is cited to

show a textured surface. However, Ueno et al. describes a molded relief line groove 30 in Fig. 2, col. 1, lines 65-66, and does not show a partial, angled cut.

Thus, the additional references do not describe an instrument panel having cuts in the show surface that extend only partially through the outer layer and are angled relative to an axis normal to the surface, and so do not make up the deficiency of the primary references. Even when all references are read together, they do not point the practitioner to an instrument panel having a show surface with partial, angled cuts, as called for in the independent claims 1 and 7. It follows then that the references cannot suggest the instrument panel in accordance with dependent claims 3-5 and 9-11.

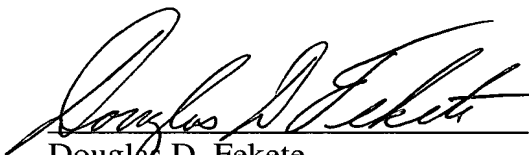
Accordingly, it is respectfully requested that the rejection of the claims 3-5 and 9-11 based upon Yamasaki et al. and Hagenow et al. with one or more of Lutze et al., Gardner, or Ueno et al. be reconsidered and withdrawn, and that the claims be allowed.

Conclusion

It is believed, in view of the amendments and remarks herein, that all grounds of rejection of the claims have been addressed and overcome, and that all claims are in condition for allowance. If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the phone number provided.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Douglas D. Fekete", written over a horizontal line.

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